

REMARKS

Claims 1-8 and 10-22 remain pending in the application.

The Applicant respectfully requests that the Examiner reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Objection of Claims 8 and 15

The Office Action object to claims 8 and 15 as allegedly containing a typographical error.

Claims 8 and 15 are amended herein to correct for a noted typographical error. The Applicant respectfully requests the objection of claims 8 and 15 be withdrawn.

Claims 1-8 and 10-22 over Hamada in view of Norr

In the Office Action, claims 1-8 and 10-22 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,754,347 to Hamada ("Hamada") in view of U.S. Patent No. 7,085,377 to Norr ("Norr"). The Applicant respectfully traverses the rejection.

Claims 1-8 and 10-22 recite a **data packet stream** that includes a data packet, the data packet including a data payload that includes a scrambled central portion being surrounded on both sides by an unscrambled second portion.

The Examiner acknowledges that the Applicant's previously argued that Hamada fails to teach a limit on how much of a data payload is scrambled, with Hamada therefore teaching that the entire data payload is scrambled, not a central portion thereof, much less a central portion being surrounded by an unscrambled portion. (see Office Action Response to Arguments, page 2) The Examiner argues that "Hamada discloses a PID followed by a scrambled portion of two bits [column 7, lines 58-59]. Therefore, the examiner asserts that Hamada

discloses limits on how much of the payload is scrambled." (see Response to Arguments of the Office Action, page 2). The Applicant respectfully disagrees.

Hamada at column 7, lines 54-65 teaches:

Since information contained in the packet header is defined in the MPEG2 standard, only data required in the present invention will be briefly described. A PID is placed in 13 bits from the 12-th bit to 24-th bit. The PID is used to identify the current TS packet. The PID is followed by a scramble control portion of two bits. The scramble control portion represents whether or not the payload has been scrambled. In addition, the scramble control portion represents the type of the payload. As described above, with reference to the scramble control portion, the descrambler 12 determines whether or not (the payload of) the current TS packet has been scrambled.

Thus, Hamada discloses a PID followed by a scramble control portion of two bits, not a scrambled portion of two bits as alleged by the Examiner. Hamada goes on to explain that the "scramble control portion represents whether or not the payload has been scrambled." Thus, Hamada's scramble control portion of two bits is not scrambled itself but simply provides an indication of "whether or not the payload has been scrambled." Thus, as previously explained to the Examiner, Hamada discloses scrambling of a payload. However, Hamada fails to disclose limits on how much of the payload is scrambled. Thus, Hamada discloses scrambling and descrambling of an entire payload, not a central portion thereof, much less a central portion being surrounded on both sides by an unscrambled portion, as recited by claims 1-8 and 10-22.

Moreover, the Examiner alleges that Hamada's "descrambler 12 determines whether or not the portion of the payload is scrambled", with the "descrambler descrambles the scrambled portion". (see Response to Arguments section of the Office Action, page 2) Even if the Examiner's allegation were true, such fails to teach Applicant's claimed features. Hamada's "descrambler 12 descrambles a scrambled TS received from the switching portion 21 and supplies the descrambled TS to the decode portion 13." (see column 5, lines 36-38). Thus, Hamada's descrambler simply descrambles that which is scrambled, which as discussed above is an entire payload, not a central portion thereof, much less

a central portion being surrounded on both sides by an unscrambled portion, as recited by claims 1-8 and 10-22.

Norr appears to disclose a designated number M-K packets of encoded audio are encrypted using an encryption key, while the remaining K packets remain unencrypted (see Norr, col. 4, lines 41-43). The K unencrypted packets are placed in two of four bitstreams, while the remaining M-K packets are placed in the remaining two bitstreams (see Norr, col. 4, lines 43-46).

Thus, Norr discloses that within any stream there is either scrambled or descrambled data packets. Norr fails to disclose a digital data stream that comprises both scrambled and unscrambled data, much less a data packet stream that includes data packets, a data packet including a data payload that includes a scrambled central portion being surrounded on both sides by an unscrambled second portion, as recited by claims 1-8 and 10-22.

Thus, Hamada and Norr, either alone or in combination, fails to disclose, teach or suggest a data packet stream that includes data packets, a data packet including a data payload that includes a scrambled central portion being surrounded on both sides by an unscrambled second portion, as recited by claims 1-8 and 10-22.

For these and other reasons, claims 1-8 and 10-22 are patentable over the cited art. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



William H. Bollman
Reg. No.: 36,457
Tel. (202) 261-1020
Fax. (202) 887-0336

MANELLI DENISON & SELTER PLLC
2000 M Street, N.W. 7th Floor
Washington D.C. 20036-3307
WHB/df